

# **MINUTES OF A MEETING OF THE LEMON GROVE CITY COUNCIL**

May 1, 2018

The City Council also sits as the Lemon Grove Housing Authority, Lemon Grove Sanitation District Board, Lemon Grove Roadway Lighting District Board, and Lemon Grove Successor Agency.

**Call to Order** by Mayor Vasquez at 6:03 p.m.

City Councilmembers present: Mayor Racquel Vasquez, Mayor Pro Tem Jerry Jones, Councilmember Jennifer Mendoza, Councilmember David Arambula, and Councilmember Matt Mendoza. City Councilmembers absent: None.

City Staff present:

Lydia Romero, City Manager

Mike James, Assistant City Manager/Public Works Dir.

Scott Amos, Lemon Grove Substation Lieutenant

David De Vries, Development Services Director

Kay Vinson, Interim City Clerk

James Lough, City Attorney

Daryn Drum, Fire Division Chief

Mike Viglione, Assistant Planner

Arturo Ortuno, Assistant Planner

**Pledge of Allegiance:** Ernest J. Dronenburg, Jr., San Diego Assessor/Recorder/County Clerk

## **Changes to the Agenda**

**Action:** At the request of the consulting engineer, the City Council agreed by consensus to move agenda item 5, Pavement Management Program Report, to follow item 2, Tentative Map Extension TM0-000-0061 located at 6800 Mallard Street.

## **Presentations:**

### **Lemon Grove History Minute #18**

### **Lemon Grove Home Grown 40 Year Business Recognition Series Honoring Sharon Jones, The Grove Grinder**

Mrs. Jones shared the Grove Grinder was established by Pete De Gangi in 1986 and she and her husband Robert Jones purchased the business and began operations on April 1, 2000. They are famous for their sandwiches, soups, salads and 72 varieties of root beer. Sharon Jones thanked the City Council for a grant, and she donated sandwiches and chips to everyone at the meeting. Mayor Vasquez presented Mrs. Jones with a Certificate of Recognition.

### **Recognition of Mount Miguel High School CIF (California Interscholastic Federation) Boys and Girls State Basketball Champions**

Randy Reid, Assistant Principal, introduced Girls Basketball Coach Robbie Sandoval and Boys Basketball Coach Jay Rowlett. The coaches introduced their captains and players attending college on basketball scholarships, declaring it was Mount Miguel's greatest season in history. Mayor Vasquez presented certificates to the coaches for each team member in recognition of the CIF Boys and Girls Basketball Champions.

**Homeowners and Disabled Veterans Exemptions – Ernest J. Dronenburg, Jr., San Diego Assessor/Recorder/County Clerk**

Mr. Dronenburg explained in his role as Assessor there are nearly one million parcels in San Diego County; in his role as Recorder, documents may be sent electronically for recording; and as County Clerk, he issues marriage licenses and performs wedding ceremonies. His office has a \$70 million budget with five locations and customer service is rated 98.2% positive. He said all forms are available online and guaranteed current, provided contact information for the office, and stated the office is the only one in the State to accept electronic signatures. Mr. Dronenburg conveyed the median price of a home in Lemon Grove is \$459,000. He gave tax tips based on Propositions 13, 60/90 and 58 and property tax exemptions for homeowners and 100% disabled veterans, which may be retroactive for eight years.

Councilmember J. Mendoza ascertained property tax postponements for senior citizens are obtained through the Tax Collector.

**Mental Health Awareness – Linda Ketterer, National Alliance on Mental Illness (NAMI) San Diego**

Ms. Ketterer communicated NAMI San Diego is the only NAMI organization that provides services to Children, Youth & Families, which serves as liaison to families, providers, peer partners and San Diego County. Their mission is to support, educate and advocate; and she identified programs and apps. Mr. Ketterer discussed the prevalence of mental illness and available resources.

**Public Comment**

John Wood, Lemon Grove, related at 9:00 p.m. on April 7<sup>th</sup>, a car on Central hit a wall and two cars; and he reported semi-tractor trailers are parked on Federal where it is posted no parking, but the Sheriff is too busy. He commented there is no Creek to Bay clean up this year, although it is needed, and there is a new marijuana store on Federal.

Brenda Hammond, Lemon Grove, expressed desire for the homeless people to get on mental health (NAMI) program; thought one does not have to be nice if videotaped, has her own church, and looks forward to concerts.

Teresa Rosiak-Proffit, Lemon Grove, asked for an update and transparency on the investigation into the Mayor and Councilmember Arambula with Chris Williams.

Brian Bernier, Lemon Grove property owner, relayed that he inquired a year ago about a ¼ mile section of street west bound on Palm between Golden and Skyline needing repair. He also complained about the traffic and traffic lights around the trolley.

Chris Williams said he is an applicant for a medical marijuana dispensary, saying the process should be fair; and he cares about Lemon Grove.

**1. Consent Calendar**

**A. Waive Full Text Reading of All Ordinances on the Agenda**

**B. Ratify Payment of Demands**

**C. Approve Meeting Minutes**

**February 6, 2018 Regular Meeting**

**February 20, 2018 Regular Meeting**

**April 17, 2018 Regular Meeting**

**D. Adopt Resolution No. 2018-3572 Updating the City Sponsorship Policy**

- E. Adopt Sanitation District Resolution No. 2018-294 Awarding the Design Contract to Michael Baker International for consulting engineering services for the 2018-2019 Sewer CIP Project, budget amount not to exceed \$341,000.**
- F. Adopt Resolution No. 2018-3573 Awarding a Construction Contract to MJC Construction, Inc. for the CIP Concrete Repair and Replacement (Contract No. 2018-02) in an amount of \$40,654 and budget not to exceed \$44,719.40.**

**Action:** It was moved by Mayor Pro Tem Jones and seconded by Councilmember Arambula to approve Consent Calendar Items 1 A, B, C, D, E and F as presented. The motion passed by the following vote:  
**Ayes:** Vasquez, J. Mendoza, Arambula, Jones, M. Mendoza  
**Noes:** None

**2. Public Hearing to Consider a Request for a Time Extension of the Expiration Date of Tentative Map TM0-000-0061 Located at 6800 Mallard Street**

Michael Viglione, Assistant Planner, presented the agenda report.

**Public hearing was opened at 7:20 p.m.** There were no speakers.

**Action:** Mayor Pro Tem Jones moved to close the public hearing at 7:27 p.m. and Adopt Resolution No. 2018-3574 Approving a Time Extension of Approved Tentative Map TM0-000-0061 Located at 6800 Mallard Street to April 19, 2020. The motion passed by the following vote:  
**Ayes:** Vasquez, J. Mendoza, Arambula, Jones, M. Mendoza  
**Noes:** None

**5. Acceptance of the Pavement Management Program Report**

Mike James, Assistant City Manager / Public Works Director introduced the staff report and Margot Yapp, consulting engineering with NCE. Ms. Yapp outlined the pavement management system, paved road network, pavement condition index (PCI), comparison with other cities, three levels of treatment strategies, prioritizing work, funding scenarios, existing budget with SB 1 funds, budgetary needs, street map and pie chart scenarios. She concluded:

- Street network is significant public investment valued at \$93 million
- Streets are in "Fair or At Risk" condition (PCI=60)
- Existing budget (\$3.2 Million for 5 years) is not sufficient
- Pavement will deteriorate to 53 PCI in five years
- Deferred maintenance will grow to \$33 million
- Additional pavement funding sources required

Mayor Pro Tem Jones pondered on spending money on streets in fair condition rather than good condition, pointing out the total annual City budget is \$10 million. Mike James, Assistant City Manager / Public Works Director indicated the savings is minimal and not sufficient to repair poor streets. Councilmember J. Mendoza mentioned there are funding sources outside the plan such as Community Development Block Grants, which has primarily been used for street improvements, and Safe Routes to Schools.

**Action:** A motion was made by Mayor Pro Tem Jones and second by Councilmember J. Mendoza to Adopt Resolution No. 2018-3575 Accepting the Pavement

**Management Program Report based on Scenario 2. (Scenario 2: City Budget with Senate Bill 1 Funds (\$1.8 million) for total of \$3.2 million. The PCI is expected to decrease to 53 and the deferred maintenance will increase to \$33.3 million by fiscal year 2022-23.) The motion passed by the following vote:**

**Ayes: Vasquez, J. Mendoza, Arambula, Jones, M. Mendoza**

**Noes: None**

**3. Downtown Specific Plan (General Plan Amendment GPA-180-0001) Authorizing a Comprehensive Amendment to the Downtown Village Specific Plan and Expansion of the Specific Plan Area (219 total acres)**

City Attorney James Lough emphasized this is the second reading of the Ordinance that was successfully introduced on April 17, 2018 at which time the public hearing was closed. Therefore, the Downtown Specific Plan cannot be changed and comments should be to either approve or deny the Plan.

Jim Elliott, owner of six buildings in Lemon Grove, opined the art and historic districts would not work, the Plan eliminates jobs, and the density raises public safety concerns; so he urged the City Council not to adopt it.

Helen Ofield, Lemon Grove, specified she is not opposed to higher density housing but opposes unattractive units. She stated people avoid going to the Promenade in part due to difficulty getting in. She advocated for a "No" vote on the ordinance.

Donna Lipinacci, Lemon Grove, remarked she understands both the pros and cons of the Plan; but the trolley stop appears unsafe with litter, congregants and despair. She thinks high density housing will result in more of the same thing, so she asked for a "No" vote.

Michael French, owner of Grove Auto Body since 1984, asserted the Specific Plan looks nice, but anticipates the businesses and public will have to pay for improvements. He considers the Plan too restrictive; and it should be more flexible, reflecting it is not safe or appropriate for Lemon Grove.

Ilse Hanning, Lemon Grove, commented high density is a magnet for criminal activity; and residents are afraid to go downtown after dark. She suggested different land use solutions, similar to a downtown village.

Maria Chavez, Lemon Grove, said the area is not safe at night and she is against density. She requested more transparency and for the City Council to table, repeal or vote "No."

Sydel Howell, owner of San Diego Homecare Supplies, supports the Art District and more foot traffic. She shared the business is the largest in the County and attracts customers, but customers do not want to return due to unclean trash cans and sidewalks.

Daisy Dumas-Featherstone, Lemon Grove, is not interested in interacting with gang members when she rides the trolley. She is familiar with high density housing and proposed it is better being staggered and not concentrated, so she recommended a "No" vote.

Michael Martinez, Lemon Grove, believes apartments buildings will change the way of life, so Lemon Grove will not have the same friendly, small town feeling. He speculated about developer special interests, so he called for the City Council to vote against the Plan.

Barbara Hartung, Lemon Grove, agreed with previous speakers that the Plan is not in character of Lemon Grove.

Teresa Rosiak-Proffitt, Lemon Grove, criticized bad decisions, on/off ramp realignment and discussed budget concerns and fear of sales tax increase. She advised the Council to make the right decision.

Mayor Vasquez detailed the extensive community outreach over two years on the Downtown Specific Plan, stressed the Plan is for the future, and she thanked the community for their input.

David De Vries, Development Services Director, summarized the community input for a cleaner and safer downtown and the study/Plan to realize desired outcomes. He explained low vs. market rate housing and maximum density added to the proposed Plan. The Plan provides for 3,000 additional housing units over the next 50 years with 1,000 units in the next 10-20 years, along with retail and commercial, resulting in more people downtown to support businesses.

Mayor Pro Tem Jones clarified there are aspects of the Plan he does not like, i.e. amount of density, displacement of heavy commercial and jobs; and he questioned 3500 residents in ten acres resulting in a cleaner downtown. He reasoned the City cannot ignore the greater community, and it is important to have balance and equity.

Mayor Vasquez highlighted increased sales tax from businesses, which was discussed at the priority/goal setting workshop, so the City can move forward with a change to downtown. She verified the Plan can be modified three times per year.

Councilmember Arambula contemplated how the City obtains the goals of cleanliness and better quality of life without change since the current tax base does not support improvements. He disclosed his attendance at the citizen workshops and heard their desires for a cleaner and safer downtown, noting the housing is market rate.

Councilmember M. Mendoza reviewed the units per acre with a maximum of 60 and 84 with the density bonus. In 60 years, he has seen traffic increase significantly, so he prefers managing existing traffic before adding more. Development Services Director David De Vries communicated the traffic study by Rick Engineering indicates the Plan improves traffic.

Councilmember J. Mendoza described the time spent by Councilmembers, community, staff, and consultants at meetings on the Plan over the last two years, voicing surprise of Mayor Pro Tem Jones' strong opposition at the last meeting. She accentuated both Downtown Specific Plans are transit-mixed use, the density chart provides for 1300 residential units, and the traffic analysis. Councilmember J. Mendoza did not observe thriving industry in the area and wished knowledge/background would have been shared sooner. She summed up options: 1) Deny, then 2005 Plan is in effect, remarking a SANDAG (San Diego Association of Governments) grant was received for the new plan; 2) Revise the proposed Plan at the City's expense; or 3) Approve the Plan.

Mayor Pro Tem Jones responded he got the average of 2.87 residents per unit from the SANDAG website, there has been encroachment on heavy commercial uses since 2005, he objects to Councilmembers attending public workshops because it influences the outcome, and he previously talked with the consultant and staff about issues and his position. At the public hearing (process of listening to community input), a speaker also triggered concern by pointing out potential impacts from an additional 3500 residents in the area. So he expressed his opposition at the introduction of the ordinance when the Councilmembers could have tabled it.

Mayor Vasquez thanked those involved for their time and effort, underscored the Plan can be changed, and the Planning Commission and Community Advisory are being reactivated.

City Attorney James Lough provided the second reading of the ordinance title.

**Action:** On a motion by Councilmember Arambula and second by Mayor Vasquez, Ordinance No. 449 Approving the Downtown Specific Plan (General Plan Amendment GPA-180-0001) and Certifying Mitigated Negative Declaration (ND 18-01) was considered for adoption. The motion failed by the following vote:  
**Ayes:** Vasquez and Arambula  
**Noes:** J. Mendoza, Jones and M. Mendoza

#### 4. Review of the Fiscal Year 2018-2019 Proposed Sewer Service Charge

Mike James, Assistant District Manager / Public Works Director reported the Sanitation District Board on May 2, 2017 approved a 5.75% rate increase for five consecutive fiscal years including 2018-19 with an annual analysis to determine if a reduction is possible. Based on review with Dexter Wilson Engineering, Inc., staff recommends a decrease from the rate increase of 5.75% to 2.875% for fiscal year 2018-19. Mr. Wilson will attend the May 15, 2018 Board meeting.

Board Member J. Mendoza cited the proposed reduction of the increase would result in a cost of \$601/household, and City of San Diego Pure Water Program cost has increased from \$1.2 million to approximately \$1.4 million. She indicated she could support the proposed reduction in the increase or zero increase.

Board Member M. Mendoza and Arambula asked questions and received clarification. Vice Chair Jones agreed on a reduction of the rate increase to 2.875% or zero rate increase, saying more information will be forthcoming on the Pure Water Program costs.

Richard Hammett, Lemon Grove Business owner, commented on capacity fees and advising a 3.25% increase every year to stay ahead because cash flow is needed.

**Action:** By unanimous consensus, the Board directed staff to return with a reduction in the rate increase from 5.75% to 2.875% for fiscal year 2018-2019 sewer service charge.

#### City Council Oral Comments & Reports on Meetings Attended at City Expense (GC 53232.3 (d))

**Councilmember J. Mendoza** attended the following meetings and events:

- SANDAG Transportation Committee regarding TransNet audit report and development of transportation networks for the 2019-50 Regional Plan
- Little League Opening Day and worked with Lions serving pancakes

**Councilmember Arambula** attended the following meetings:

- Heal Zone Community Partners in Pasadena regarding long term planning
- Heartland Fire Communications Facility Authority
  - Approved a Joint Powers Authority agreement to allow Viejas Band of Kumeyaay Indians to have a seat on the Authority
  - Discussed Fair Labor Standards Act requirements, grant funding, and 2018-19 fiscal year budget
- SANDAG Transportation Committee

**Mayor Pro Tem Jones** attended two Ad Hoc Committee meetings of Metro Joint Powers Authority on Pure Water Program.

**Mayor Vasquez** attended the following meetings and events:

- Lions Pancake Breakfast on Little League Opening Day
- Community Clean Up and thanked staff for coordination
- SANDAG East County focus group with public input on transportation
- SANDAG Board interview with two candidates for Executive Director
- McAllister Institute Kiva Women & Children graduation

**City Manager and Department Director Reports (Non-Action Items)**

David De Vries, Development Services Director, thanked the City Council for discussion on the Downtown Specific Plan and said he is looking forward to working with the Planning Commission on a revised Plan. He thanked Malik Tamimi, Management Analyst, for being a pro at the Community Clean Up, along with Mike James, Assistant City Manager / Public Works Director and Dave Huey, Community Services Superintendent, saying they had the most partners ever. Mr. De Vries commented on a good orientation meeting with the new Planning Commissioners on April 30<sup>th</sup>.

City Attorney James Lough shared Assistant City Attorney Kristen Steinke will attend the May 15, 2018 meeting.

**Closed Session:**

**Conference with Legal Counsel – Anticipated Litigation**

**Significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of Section 54956.9 (One Case)**

**Action:** By consensus, the City Council recessed to closed session for the above item at 10:20 p.m.

**Closed Session Report:** There was no reportable action from closed session.

**Adjournment:** The meeting was adjourned.

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A. Kay Vinson, Interim City Clerk